

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demarcus Dashon Piphus

Docket No. 5:08-CR-226-1BO

Petition for Action on Supervised Release

COMES NOW Peter J Yalango, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demarcus Dashon Piphus, who, upon an earlier plea of guilty to 18 U.S.C. §924(c) Possession of a Firearm in Furtherance of a Crime of Violence, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 6, 2009, to the custody of the Bureau of Prisons for a term of 97 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Demarcus Dashon Piphus was released from custody on July 31, 2015, at which time the term of supervised release commenced.

A Petition for Modification of Conditions of Supervised Release was submitted to lower the amount of monthly payments towards his monetary obligations from \$50.00 to \$25.00 per month on June 7, 2016. Your Honor ordered this modification on June 7, 2016.

A Violation Report stating that the defendant had been convicted of Simple Possession of Marijuana, failed to pay restitution, submitted a positive urinalysis for marijuana, and failed to report as instructed, all of which occurred while the defendant was being supervised in the District of South Carolina, was submitted to the Court on January 23, 2017. It was requested that the offender be allowed to remain on supervision in the Eastern District of North Carolina. Supervision was continued by Your Honor on January 24, 2017.

A Motion for Revocation was submitted to the Court for the defendant being found guilty of Simple Possession of Marijuana in Greenville County, SC Magistrate Court on March 3, 2016. A Revocation Hearing was held on March 20, 2017, and the Court continued his term of supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant admitted to using marijuana on March 31, 2017. The offender has requested substance abuse treatment to address his continued use during supervision. We will monitor his drug use through the Surprise Urinalysis Program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Peter J Yalango
Peter J Yalango
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2546
Executed On: April 17, 2017

ORDER OF THE COURT

Considered and ordered this 17 day of April, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge